

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1300 PLD



Project Name: FELIDA VIEW TOWNHOMES

Case Number: PLD2009-00048, SEP2009-00084, VAR2009-00013, BLA2009-00034 and EVR2009-00045

Location: 3001 NW 117th Circle

Request: The applicant proposes to subdivide approximately 1.91 acres into 18 single-family townhome lots in the R-12 zoning district.

Applicant: Osprey Homes LLC
Attn.: Dan Wisner
4910 NW 127th Street
Vancouver, WA 98685

Contact Person: Sturtevant, Golemo & Associates
Attn.: Scott Taylor
2005 Broadway
Vancouver, WA 98663
(360) 993-0911, E-mail: Staylor@sgaengineering.com

Property Owner: (Same as Applicant)

RECOMMENDATION

Approve subject to Conditions

Team Leader's Initials: ATG **Date Issued:** January 13, 2010

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Team Leader:	Travis Goddard	4180	Travis.goddard@clark.wa.gov
Planner:	Michael Uduk	5385	Michael.uduk@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater)	Tom Grange, P. E.	4449	Tom.Grange@clark.wa.gov
Engineer: (Trans. & Stormwater)	David Bottamini, P. E.	4881	David.bottamin@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency)	Steve Schulte, P. E.	4017	Steve.schulte@clark.wa.gov
Engineer: (Trans. Concurrency)	David Jardin	4354	David.jardin@clark.wa.gov
Fire Marshal Office:	Tom Scott	3323	Tom.scott@clark.wa.gov

Comp Plan Designation: Urban Medium (UM)

Parcel Number(s): Tax Lot 2 (188966-005, AKA Lot 2 of SP2-166)
located in the NW ¼ of Section 33, Township 2
North, Range 1, East of the Willamette Meridian.

Applicable Laws:

Clark County Code (CCC) Chapter: 40.350 (Transportation), 40.350.020 (Concurrency), 40.380 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 40.570.080 (SEPA), 40.570.080 (C) (3) (k) (Historic & Cultural Preservation), 40.540.010 (Boundary Line Adjustment, BLA), 40.540.040 (Subdivision Ordinance), 40.220.020 (Residential and Office Residential Districts, R-12), 40.610 (Impact Fees), 40.370.010 (D) (Sewer Connection), 40.370.020 (D) (Water Connection), 40.550.020 (Variances), 40.500 (Process), RCW 58.17 (State Land Division Laws)

Neighborhood Association/Contact:

Felida Neighborhood Association
Jamie Allen, President
P. O. Box 61552
Vancouver, WA 98666
(360) 573-4030, E-mail: gaudeamus@earthlink.net

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the

application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on April 9, 2009. The pre-application was determined to be contingently vested as of March 19, 2009, (i.e., the date the fully complete pre-application was submitted).

The fully complete application was submitted on September 25, 2009, and determined to be fully complete on October 13, 2009. Given these facts the application is vested on March 19, 2009. There are no disputes regarding vesting.

Time Limits:

The application was determined to be fully complete on October 13, 2009, (see Exhibit No. 7). The applicant requested a change of the public hearing date to January 28, 2010, thereby extending the deadline by 38 days. Therefore, the County Code requirement for issuing a decision within 92 days lapses on February 20, 2010. The State requirement for issuing a decision within 120 calendar days, lapses on March 23, 2010.

Public Notice:

Notice of application and public hearing was mailed to the applicant, the Felida Neighborhood Association and property owners within 300 feet of the site on October 27, 2009. One sign was posted on the subject property and two within the vicinity on December 7, 2009.

Public Comments:

The county received comments from Lynn Carman (Exhibit 11). The concerns expressed by Miss Carman are traffic related. The potential traffic impacts from this development to traffic in the area are analyzed by the Development Engineering staff in on pages 9-10 in the Transportation section of this report.

Project Overview

The applicant is requesting a preliminary plat approval to subdivide approximately 1.91 acres into 18 residential lots in the R-12 zoning district. The applicant is also requesting:

1. Variances to reduce the street side yard setback for Lot 4 from 10 feet to 8 feet on NW 117th Circle and the interior side yard setbacks from 5 feet to 4 feet between Lot 2 and Lot 3; between Lots 5, 6 and Lot 7; between Lot 10 and Lot 11; and between Lot 16 and Lot 17. The setback requests would reduce the numerical standards by 20 percent for side street setback on NW 117th Circle and the interior side yard setbacks, respectively.
2. Adjust property boundaries on the northeastern corner of the development site with Tax Lot 1 (188966).
3. Road modification in compliance with the county's transportation standards.

A townhouse (or single-family attached dwelling unit development) is subject to review and approval (R/A) in the R-12 district per CCC 40.260.230 (Townhouse Development Standards).

Table 1 shows the comprehensive plan designation, zoning, and current land use on the site and on the abutting properties:

Table 1: Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Medium (UM)	Residential District R-12	Flat large acreage home site.
North	UM	R-12	Acreage home site.
East	UM	R-12	Residential housing development.
South	UM	R-12	Residential housing development.
West	Urban Low (UL)	R1-7.5	NW 31 st Avenue, residential housing development.

The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils at this site as those of Hillsboro silt loam (HoB) on slopes ranging from zero to 8 percent. Maps from Clark County's GIS Mapping System indicate that the site contains wetlands.

The property is located within the City of Vancouver's urban growth area (UGA). It is situated in an area served by Fire Protection District 6, Vancouver School District, Hazel Dell Traffic Impact Fees District, and Parks Improvement District 9. Clark Public Utilities and Clark Regional Wastewater District provide potable water and sewer services in the area, respectively.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated through application of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

LAND USE:

Finding 1

The development site is approximately 1.91 acres situated on south side of NW 117th Circle off of NW 131st Avenue. The applicant is proposing an 18-lot townhouse subdivision.

Based on the density provisions in the R-12 district, the gross acreage of 1.91 acres could be subdivided into a maximum of 22 lots or a minimum of 15 lots. Table 2 summarizes the density calculation based on the available developable land after subtracting land dedicated for stormwater. The applicant is not dedicating additional right-of-way (ROW) for street improvement because the ROW was dedicated with SP 2-166.

Table 2: ROW, Stormwater, and Density Calculation.

Acres (gross)	ROW (in acres)	Wetlands & Stormwater facility	Acres (net)	Density (net)	Density (proposed)
1.91	0	0.19	1.72	20 - 14	18

Staff finds that the proposed 18-lot subdivision complies with the applicable density requirements in the R-12 district. This finding does not require a condition of approval.

Finding 2

The applicant will improve NW 117th Circle that terminates in a cul-de-sac to public road standards. NE 117th Circle is extended south as an access and utility easement and east as a private road B, which will provide access to Lots 7 and 8, and 15, 16, 17, and 18, respectively. Staff finds that given the located of the property and the housing developments in the area, the applicant has made adequate provisions for access to accommodate the development. Therefore, this finding does not require a condition of approval.

The proposed plat shall comply with the following development standards per Table 40.260.230-1:

Table 3: Townhouse development standards: R-12 zone

1.	Minimum lot area	2,800 square feet
2.	Minimum lot width	25 feet
3.	Minimum lot depth	50 feet
4.	Front yard setback	10 feet (for dwellings)
5.	Maximum building height	35 feet
6.	Front garage door (setback)	18 feet
7.	Street side yard setback	10 feet
8.	Side yard setback	0 or 5 feet ¹
9.	Rear yard setback	0 or 5 feet
10.	Setback from alley	0 or 5 feet
11.	Maximum lot coverage	60 percent

Staff finds that all lots as proposed, can comply with the applicable standard in the code (see Plat Note D-6a).

Staff finds that the largest lot proposed in this subdivision is Lot 18, which is 3,710 square feet in area, and the smallest lots are Lots 12, 13, and 14, are each 2,800 square feet in area (see Exhibit 5, Sheet 1 of 4).

The applicant shall provide a site plan showing scaled building dimensions and footprint for each townhouse unit indicating the actual building setbacks as approved in VAR2009-00013, and the location of each set of proposed buildings. (See Conditions D-1a and D-6a)

Landscaping

Finding 3

Per CCC 40.260.230 (C):

- a. The applicant has provided a landscape plan (see Exhibit 5, Sheet 4 of 5), which shows perimeter landscaping that meets the L1 standard. Staff finds that this standard is met; however, the applicant shall provide a final landscape plan for the project planner to review prior to final engineering plans approval. (See Condition A-8a and C-1).

Administrative Variance (VAR2009-00013)

Approval Criteria

CCC 40.550.020 (A) (4) provides that the responsible official shall approve an administrative variance, if based on substantial evidence in the record, the applicant has sustained the burden of demonstrating that the variance complies with all of the following approval criteria:

Approval Criterion 1

Granting the variance(s) will not substantially detract from the livability or appearance of a residential area or from the desired character of a nonresidential area, or the variance(s) will substantially enhance the livability or appearance of a residential area or the desired

¹ If not sharing a common wall, then the setback shall be five (5) feet.

character of a nonresidential area, such as by preserving or protecting significant natural, scenic, historic, cultural, open space or energy resources.

Finding 4

The applicant is requesting variances to reduce:

- The street side yard setback for Lot 4 from 10 feet to 8 feet on NW 117th Circle; and,
- The interior side yard setbacks from 5 feet to 4 feet between Lot 2 and Lot 3; between Lots 5, 6 and Lot 7; between Lot 10 and Lot 11; between Lot 14 and the western boundary of the access easement, and between Lot 16 and Lot 17.

The setback variances would reduce the numerical standards by 20 percent for side street setback on NW 117th Circle and the interior side yard setbacks for the affected lots, respectively. The variance requests qualify for a Type II administrative review per the standards in CCC 40.550.020 (A) (4), because the side street and side yard setbacks would be reduced by 20 percent.

Staff finds that:

- Each lot impacted by the variance requests contains adequate minimum lot area, adequate minimum lot width, and adequate minimum lot depth per the applicable sections of the R-12 zoning district.
- A reduction of 20 percent of the required side street setback and interior side yard setback for the affected lots will not substantially detract from the livability and appearance of the residential area and should be approved.

Therefore, the following note shall be placed on the final plat stating that:

"The applicant shall ensure that all lots comply with the minimum development standards in Table 40.260.230-1 (Townhouse Criteria); except that the side street setback for Lot 4 shall be a minimum of 8 feet from NW 117th Circle, and the interior side yard setback between Lot 2 and Lot 3; Lots 5, 6 and Lot 7; Lot 10 and Lot 11; Lot 14 and the access easement; and, Lot 16 and Lot 17 shall be a minimum of 4 feet each (for a total of 8 feet between buildings)." (See Condition D-6a)

Approval Criterion 2

If variances to more than one regulation are being requested, the cumulative effect of the variances shall be consistent with the purpose of the zone in which the site is situated.

Finding 5

The request is to vary the required numerical standard for the minimum side street setback and the minimum interior side yard setbacks as discussed in Finding 3. Staff finds and concludes that the cumulative impact of the variances is consistent with the applicable development standards in the R-12 zoning provisions.

Approval Criterion 3

Adverse impacts resulting from the variance(s) are mitigated to the extent practical.

Finding 6

Where safety is identified as an issue, the Building official may require the applicant to address the problem during building permit review. This finding does not require additional condition of approval.

Approval Criterion 4

The variance(s) does not substantially impair or impede the availability or safety of access that would otherwise exist for vehicles or for pedestrians, or alternative access is provided.

Finding 7

Staff finds that the proposed variances will not impede the available access safety for vehicles and pedestrians in the area.

Boundary Line Adjustment (BLA2009-00034)

Approval Criteria: CCC 40.540.010

A boundary line adjustment (BLA) is a process for the purpose of adjusting boundary lines, which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.

Finding 8

The applicant is proposing boundary line adjusting the development site by extending the hatched portion of the plat north to include approximately 1,317 square feet from Tax Lot 87 (188966-000, AKA Tax Lot 1 of SP2-166). Tax Lot 87 (188966-000) is approximately 1.25 acres in area. Both the development site and Tax Lot 188966-000 are legal lots of record; and both were created by SP2-166. The BLA, while reducing the area of Tax Lot 188966-000, does not create a new lot; and, the remaining portion of Tax Lot 188966-000 still complies with the minimum lot area standard in R-12 zoning district. Therefore, the BLA is recommended for approval.

The applicant will need to record the necessary legal documents with the Clark County Assessor's office to record the BLA prior to final engineering plan approval, or prior final plat recording, whichever occurs first. (See Conditions A-1a)

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

The applicant has submitted an archaeological pre-determination to the State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

The DAHP concurs with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. (See Conditions A-2a and D-6c)

Conclusion (Archaeology):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the archaeology requirements of the Clark County Code.

TRANSPORTATION:

Pedestrian/Bicycle Circulation Plan:

Finding 1

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The applicant has proposed sidewalks on-site and as part of the frontage improvements. The proposal meets the pedestrian circulation code.

Road Cross-Circulation:

Finding 2

The properties to the south and east of the proposed subdivision are fully developed. The proposed cul-de-sac road, NW 117th Circle, will provide access to the Parcel # 188966-000 to the north now and in the future when the property is developed. The project complies with the circulation plan requirements, Section CCC 40.350.030(B) (2).

Roads:

Finding 3

NW 31st Avenue is an "Urban Local Residential Access" road and the associated required minimum half-width improvements include 23 feet of right-of-way, 14 feet of paved width, sidewalk, curb, and gutter. The applicant has proposed improvements that exceed the minimum standard. The proposed intersection curb return radii shall comply with CCC Table 40.350.030-4 which requires minimum 25-foot radii. (See Condition A-3a)

NW 117th Circle is an "Urban Cul-de-sac". Per a note on SP 2-166, NW 117th Circle shall be reconstructed to public road standards. The applicant has proposed road improvements associated with an "Urban Local Residential Access" road exceeding the pavement width for an "Urban Cul-de-sac" by 2 feet. The applicant has proposed this road be private, however, SP 2-166 requires the road to become a public one. Therefore, the applicant shall dedicate partial-width right-of-way consisting of 23 feet for the roadway and the required right-of-way around the bulb within the boundaries of subject Parcel #188966-005. The road will remain a private road within a half-width public right-of-way until the full-width right-of-way dedication occurs at which time the road will become public. The applicant shall make efforts to include the owner of Parcel # 188966-000 in a private road maintenance agreement as being responsible for the maintenance of the road in addition to the owners of parcels within the Felida View Townhomes until such time when the entire road is dedicated as a public road. (See Condition A-3b)

Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall have a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line. The applicant has submitted a road modification to address the existing driveway to the north. CCC 40.350.030 (B) (4) (b) (1) (b) shall apply to the applicable proposed driveways. (See Condition A-3c)

Road Modification (EVR2009-00045):

The applicant has submitted a road modification application for relief from CCC 40.350.030 (B)(4)(b)(1)(b). The code section requires driveways have a minimum separation of 50 feet from the intersecting property lines or where this is impractical; the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line. Short plat 2-166 requires improvement of the existing NW 117th Circle to public road standards. Per the applicant, relocating the driveway is not feasible due to the location of the existing associated house. The applicant states a new driveway drop located off the north side of NW 117th Circle can be provided for the neighbor. The applicant proposes that the road modification request can be justified per CCC 40.550.010(A)(1)(a).

Staff believes the road modification request can be justified per CCC 40.550.010(A)(1)(a).

Staff's recommendation is Approval of the modification request.

Sight Distance:

Finding 4

The applicant submitted a sight distance certification letter dated August 26, 2009.

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles for all corner lots. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections. (See Condition A-3d)

Conclusion (Transportation):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

TRANSPORTATION CONCURRENCY:

Trip Generation:

Finding 1

The applicant has submitted a traffic study that indicates that the proposed Felida View Townhomes will consist of 18 new townhome dwellings. The applicant's traffic study has estimated the weekday a.m. peak-hour trip generation at 12 new trips, while the p.m. peak-hour trip generation is estimated at 14 new trips. These trips were estimated using nationally accepted data published by the Institute of Transportation Engineers.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1). The site is located at 3001 NW 117th Circle.

Site Access:

Finding 2

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would

expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards is not applicable to site accesses or intersections that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's traffic study analyzed the intersection of NW 31st Avenue/site access. The traffic study indicates that the site access will have an estimated LOS A through the 2012 future build-out horizon. The study also shows that the LOS was evaluated in the am and pm peak hour traffic conditions in existing and build-out scenarios, meeting the requirements as outlined in Clark County Code Section 40.350.020 (G)(1)(d) & (f). County Staff concurs with the traffic study findings.

Concurrency:

Finding 3

The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Unsignalized Intersections:

The applicant's study shows a one-mile radius study area, which includes regionally significant unsignalized intersections. These intersections were analyzed in the County's Concurrency Model. It was determined that these intersections comply with travel speed and delay standards, resulting in a LOS better than the minimum allowable LOS D for unsignalized intersections. Therefore, the traffic study demonstrates concurrency compliance.

Signalized Intersections:

The County's model also evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds of delay in the build-out year.

Concurrency Corridors:

Evaluation of the concurrency corridor operating levels and travel speeds represented in the County's model yielded acceptable levels of service.

Summary:

The County has determined that this development complies with adopted Concurrency Standards for corridors, signalized, and unsignalized intersections under County jurisdiction.

The County incurs costs to analyze the proposed development's impacts; therefore, the applicant shall reimburse the County for costs incurred in running the concurrency model. (See Transportation Concurrency Condition A-4)

Safety:

Where applicable, a traffic study shall address the following safety issues:

- Traffic signal warrant analysis,
- Turn lane warrant analysis,
- accident analysis, and
- Any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Traffic Signal Warrants**Finding 4**

The applicant's traffic study has analyzed the uncontrolled and critical movements in the intersections of NW 119th Street/NW 31st Avenue and NW 115th Street/NW Lakeshore Avenue. The study shows that these unsignalized intersection approaches and critical movements will operate at a LOS E, or better, in the 2012 buildout horizon. Staff concurs with the applicant's finding. Because the modeled overall intersection LOS operates acceptably and there is little or no crash history, which would be indicative of a safety issue, no further signal analysis is required. It should be noted that the intersections of NW 119th Street/NW 31st Avenue and NW 115th Street/NW Lakeshore Avenue are not regionally significant intersections.

Turn Lane Warrants:**Finding 5**

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

The applicant's traffic study reviewed the site access for turn lane warrants and found that with the low traffic volumes, turn lanes would not be warranted at the intersection of NW 31st Avenue/site access. County staff agrees with the traffic study findings.

Historical Accident Situation:**Finding 6**

The applicant's traffic study analyzed the accident history within the vicinity of the site. The intersection accident rates do not exceed thresholds that would warrant additional analysis. Therefore, further analysis and possible mitigation *is not* required.

Sight Distance:**Finding 7**

Sight distance issues are addressed by Community Development; therefore, this issue will not be addressed here.

Conclusion (Transportation Concurrency):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the transportation concurrency requirements of the Clark County Code.

STORMWATER:

Applicability:

Finding 1

The Stormwater and Erosion Control Ordinance (CCC 40.380) applies to development activities that result in 2,000 square feet or more of new impervious area within the urban area; the platting of single-family residential subdivisions in an urban area; and all land disturbing activities not exempted in section 40.380.030.

The project will create more than 2,000 square feet of new impervious surface, involves platting of a single-family residential subdivision, and is a land disturbing activity not exempted in section 40.380.030. Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance (CCC 40.380).

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

Stormwater Proposal:**Finding 2**

The applicant has submitted a preliminary stormwater report dated June 29, 2009 that indicates a bioswale and detention facilities will be utilized. The facilities are to be privately owned and maintained.

The preliminary stormwater report identifies a 100-year/24-hour storm precipitation depth as being 4.0 inches. The 10-year/24-hour storm event precipitation depth is 3.0 inches. In addition, the 2-year/24-hour storm event precipitation depth is identified as being 2.0 inches.

Site Conditions and Stormwater Issues:**Finding 3**

Per CCC 40.380.040(C)(1)(g), the project shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Condition A-6a)

According to CCC 40.380.050 (B)(8), properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC 40.380.040(B)(2) is required. (See Condition A-6b)

Per CCC 40.380.040 (H)(3)(b), an easement or a covenant acceptable to the responsible official shall be provided to the county for purposes of inspection of privately maintained facilities. (See Condition A-6c)

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION:

Fire Marshal Review:

Finding 1

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Building Construction:

Finding 2

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition B-1d)

Fire Flow:

Finding 3

Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch for 60 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow available at the site is estimated at 1,000 gallons per minute (gpm). (See Condition D-2a)

Fire Hydrants:

Finding 4

Fire hydrants are required for this application. The indicated new fire hydrant is adequate.

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 6 at 360-576-1195 to arrange for location approval. (See Condition D-2b)

Fire Apparatus Access:

Finding 5

The roadways and maneuvering areas as indicated in the application meet the requirements of the Clark County Road Standard.

Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Condition D-2c)

Fire Apparatus Turnarounds:

Finding 6

Fire apparatus turnarounds are required and shall meet the requirements of the Clark County Road Standards. (See Condition D-2d)

No Parking Sign:

Finding 7

Parallel parking is prohibited on streets that are less than twenty-four (24) feet wide. Streets that are less than twenty-four (24) feet wide shall be posted "NO PARKING". (See Condition F-1a)

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:

Finding 1

The Clark Public Utilities provides potable water and Clark Regional Wastewater District sewer service in the area. Utility reviews from the utility purveyors indicate that adequate services exist in the area to serve this development. The applicant will need to make the necessary improvements to connect this development to potable water and sewer services provided by Clark Public Utilities and Clark Regional Wastewater District, respectively, prior to final construction review. (See Condition A-9a)

Finding 2

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or Prior to Occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department. (See Condition A-9b)

Conclusion (Water & Sewer Service):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

Finding 1

The site is located in Park Impact Fee (PIF) District 9, Vancouver School District Impact Fee (SIF) and Hazel Dell Traffic Impact Fee (TIF) district. There is an existing single-family dwelling on the site, for which impact fees are waived. The applicant must identify which lot is granted the waiver prior to final plat recording.

The following note shall be placed on the final plat stating that:

"In accordance with CCC 40.610, park, school and traffic impact fees shall be assessed on 17 of the 18 lots in this subdivision as follows:

1. \$1,472.00 PIF (made up of \$1,151.00 acquisition fee, and \$321.00 development fee) per new single-family dwelling in Park District 9;
2. \$1,421.00 SIF per new single-family dwelling in the Vancouver School District; and,
3. \$2,246.43 TIF per new town home lot in Hazel Dell Traffic Impact fee district (made up of \$1,055.82 Local Fees and \$1,190.61 Regional Fees).

"The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedules." (See Conditions D-3f, E-1)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS): As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review. This decision was made after review of a completed environmental checklist and other information on file with the County.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on October 27, 2009, is hereby final.

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Community Development Department within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner is final unless there is:

- A motion if filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 251.160; or,
- An appeal with Clark County Superior Court.

Staff Contact Person: Michael Uduk, (360) 397-2375, ext. 4385
Travis Goddard, (360) 397-2375, ext. 4180

Responsible Official: Michael V. Butts

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 5), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A Final Construction Plan Review for Land Division Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Land Use:

- a. The applicant shall record the necessary legal documents with the Clark County Assessor's office to record the BLA prior to final engineering plan approval or final plat recording, whichever occurs first. (See Land Use Finding 8)

A-2 Final Construction Plan:

The applicant shall submit and obtain County approval of a final construction plan in conformance to CCC 40.350 and the following conditions of approval:

a. Archaeology

A note shall be placed on the face of the final construction plans as follows:

"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

A-3 Final Transportation Plan/On-Site:

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The proposed intersection curb return radii shall comply with the requirements of CCC Table 40.350.030-4 which requires minimum 25-foot radii.
- b. The applicant shall dedicate partial width right-of-way consisting of 23 feet for the roadway and the required right-of-way around the bulb within the boundaries of subject parcel number 188966-005. The applicant shall make efforts to include the owner of Parcel # 188966-000 in a private road maintenance agreement as being responsible for the maintenance of the road in addition to the owners of parcels within the Felida View Townhomes until such time when the entire road is dedicated as a public road.

- c. Per CCC 40.350.030 (B)(4)(b)(1)(b), the proposed corner lot driveways shall be a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line.
- d. The applicant shall comply with the sight distance requirements of CCC 40.350.030(B)(8).

A-4 Final Transportation Plan/Off Site (Concurrency):

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall reimburse the County for the cost of concurrency modeling incurred in determining the impact of the proposed development, in an amount not to exceed \$2,000. The reimbursement shall be made prior to final site plan review.

A-5 Transportation:

- a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.
- b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-6 Final Stormwater Plan:

The applicant shall submit and obtain County approval of a final stormwater plan for on and off-site facilities (as applicable), designed in conformance to CCC 40.380 and the following conditions of approval:

- a. Per CCC 40.380.040(C)(1)(g), the project shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.
- b. According to CCC 40.380.050 (B)(8), properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC 40.380.040(B)(2) is required.
- c. Per CCC 40.380.040 (H)(3)(b), an easement or a covenant acceptable to the responsible official shall be provided to the county for purposes of inspection of privately maintained facilities.

A-7 Erosion Control Plan:

The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

A-8 Final Landscape Plan:

The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (ref: CCC 40.320).

- a. The applicant shall provide a final landscape plan for the project planner to review prior to final engineering plans approval. (See Land Use Finding 3)

A-9 Health Department Review:

- a. The applicant will need to make the necessary improvements to connect this development to potable water and sewer services provided by Clark Public Utilities and Clark Regional Wastewater District, respectively, prior to final construction review. (See Water and Sewer Finding 1)
- b. Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. (See Water and Sewer Finding 2)

A-10 Fire Marshal Requirements:

(See Conditions B-1d and D-2)

A-11 Other Documents Required:

The following documents shall be submitted with the Final Construction Plan:

A-12 Excavation and Grading:

Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference:

- a. Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- b. Prior to construction, demarcation of existing septic and water well systems, and underground tanks shall be established.
- c. Prior to site construction, structures slated for demolitions shall be demolished in accordance with the procedures of the Southwest Clean Air Agency and the Clark County demolition permit.

- d. Fire Flow: Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Fire Protection Finding 2)

B-2 Erosion Control:

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control:

Erosion control facilities shall not be removed without County approval.

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/land division plan and the following conditions of approval:

C-1 Verification of the Installation of Required Landscape:

- a. The applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan. (See Land Use Finding 3 and Condition A-8a).

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
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Prior to final plat approval and recording, the following conditions shall be met:

D-1 Land Use:

- a. The applicant shall provide a site plan showing scaled building dimensions and footprint for each townhouse unit indicating the actual building setbacks as approved in VAR2009-00013, and the location of each set of proposed buildings. (See Land Use Finding 2)

D-2 Fire Marshal Requirements:

- a. Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch for 60 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow available at the site is estimated at 1,000 gallons per minute (gpm). (See Fire Protection Finding 3)
- b. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 6 at 360-576-1195 to arrange for location approval. (See Fire Protection Finding 4)

- c. The roadways and maneuvering areas as indicated in the application meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 5)
- d. Fire apparatus turnarounds are required and shall meet the requirements of the Clark County Road Standards. (See Fire Protection Finding 6)

D-3 Developer Covenant:

A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

- a. Private Road Maintenance Covenant: A private road maintenance covenant shall be submitted to the responsible official for approval and recorded with the County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required under 40.350.030(C)(4)(g).
- b. Private Roads: "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this development. Any private access street shall remain a private street, unless it is upgraded to meet applicable current road standards at the expense of the developer or abutting lot owners to include hard surface paving and is accepted by the county for public ownership and maintenance."
- c. Critical Aquifer Recharge Areas: "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
- d. Erosion Control: "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."
- e. Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in

order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

- f. Impact Fees: "In accordance with CCC 40.610, except for Lot 1, designated on the final plat as waived, the School, Park, and Traffic Impact Fees for each dwelling in this subdivision are: \$1,421.00 (Vancouver School District), \$1,472.00 (\$1,151.00 - Acquisition; \$321.00 - Development for Park District #9), and \$2,246.43 (Hazel Dell TIF District), respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule." (See Impact Fees Finding 1)

D-4 Addressing:

At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-5 Verification of the Installation of Required Landscape:

Prior to approval of a final plat, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan (See Condition A-7a).

D-6 Plat Notes:

The following notes shall be placed on the final plat:

- a. "All lots shall comply with the minimum development standards in Table 40.260.230-1 (Townhouse Criteria); except that the side street setback for Lot 4 shall be a minimum of 8 feet from NW 117th Circle, and the interior side yard setback between Lot 2 and Lot 3; Lots 5, 6 and Lot 7; Lot 10 and Lot 11; Lot 14 and the access easement; and, Lot 16 and Lot 17 shall be a minimum of 4 feet (for a total of 8 feet between buildings)." (See Land Use Finding 4)
- b. Mobile Homes: "Mobile homes are permitted on all lots subject to the requirements of CCC 40.260.130."
- c. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- d. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."
- e. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply

with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

- f. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- g. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: The developer of Felida View Townhomes or a successor in interest."

E	Building Permits Review & Approval Authority: Customer Service
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Prior to issuance of a building permit, the following conditions shall be met:

E-1 Impact Fees:

The applicant shall pay impact fees 17 of the 18 of dwelling units in the subdivision as follows:

1. \$1,472.00 PIF (made up of \$1,151.00 acquisition fee, and \$321.00 development fee) per new single-family dwelling in Park District 9;
2. \$1,421.00 SIF per new single-family dwelling in the Vancouver School District; and,
3. \$2,246.43 TIF per new town home lot in Hazel Dell Traffic Impact fee district (made up of \$1,055.82 Local Fees and \$1,190.61 Regional Fees).

If the building permit application is made more than three years following the date of preliminary land division plan approval, the impact fees shall be recalculated according to the then-current rate. (See Impact Fees Finding 1)

F	Occupancy Permits Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Fire Marshal Requirement:

- a. Parallel parking is prohibited on streets that are less than twenty-four (24) feet wide. Streets that are less than twenty-four (24) feet wide shall be posted "NO PARKING". (See Fire Protection Finding 7)

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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G-1 Land Division:

Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater:

A permit from the Department of Ecology (DOE) is required if:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**

- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

G-3 Building and Fire Safety:

Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 None

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a "hearing extension" or "open record" and shall pay the associated fee.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

Appeal Rights:

An appeal of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Commissioners. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral

testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

Attachments:

- Copy of Proposed Preliminary Plan
- Exhibit List

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

Final Decision Attachment

For Employee Use Only - This is not part of the decision, but rather an attachment for processing purposes only.

Final Plans Required with Construction Plans	YES	NO
Final Landscape Plan:	X	
-On-site landscape plan	X	
-Right-of-way landscape plan*		X
Final Wetland Plan		X
Final Habitat Plan		X

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.

Building Setbacks Established at Preliminary Plan Review

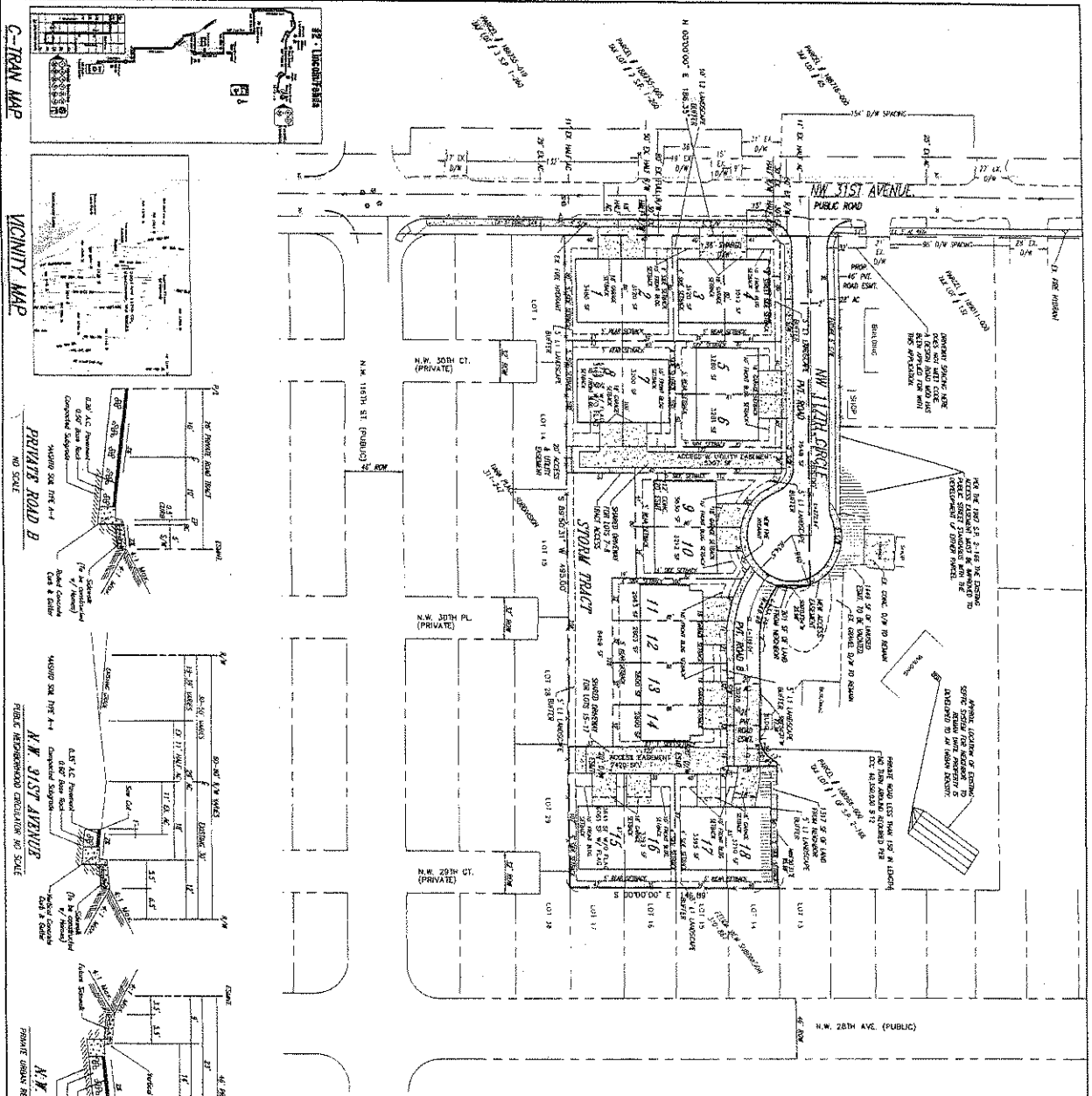
Project Name: FELIDA VIEW TOWNHOMES

Case Number: PLD2009-00048, SEP2009-00084, VAR2009-00013,
BLA2009-00034 & EVR2009-00045

The following minimum building setback requirements are based upon the zoning in place at the time, or setbacks as otherwise approved through preliminary plan review of the above listed project.

Setback Requirements by Lot

The setback for each lot in Felida View Subdivision shall comply with the standards established in Table 40.260.230-1 (Townhouse Criteria), except where the required setback standard is modified by VAR2009-00013. (See Land Use Finding 4 and Plat Note 6a)



FELIDA VIEW TOWNHOMES SUBDIVISION
 BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 33,
 TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE WILMETTE MERIDIAN
 CLARK COUNTY, WASHINGTON

OWNER: F&A ASSOCIATES, LLC
OWNER'S ADDRESS: 1000 1st St., Suite 200, Everett, WA 98201
OWNER'S PHONE: (425) 407-1000
OWNER'S FAX: (425) 407-1001
OWNER'S E-MAIL: info@fandaa.com

DESIGNER: STURTEVANT, COLLENO & ASSOCIATES
DESIGNER'S ADDRESS: 1000 1st St., Suite 200, Everett, WA 98201
DESIGNER'S PHONE: (425) 407-1000
DESIGNER'S FAX: (425) 407-1001
DESIGNER'S E-MAIL: info@sturtel.com

DATE: 09/22/08

SCALE: 1" = 40'

PROJECT NO.: 0539

SHEET: 1 of 4

GENERAL NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.
3. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.
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17. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.
18. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT.

LEGEND:

LOT 1: 1.00 AC. (43,560 sq. ft.)

LOT 2: 1.00 AC. (43,560 sq. ft.)

LOT 3: 1.00 AC. (43,560 sq. ft.)

LOT 4: 1.00 AC. (43,560 sq. ft.)

LOT 5: 1.00 AC. (43,560 sq. ft.)

LOT 6: 1.00 AC. (43,560 sq. ft.)

LOT 7: 1.00 AC. (43,560 sq. ft.)

LOT 8: 1.00 AC. (43,560 sq. ft.)

LOT 9: 1.00 AC. (43,560 sq. ft.)

LOT 10: 1.00 AC. (43,560 sq. ft.)

LOT 11: 1.00 AC. (43,560 sq. ft.)

LOT 12: 1.00 AC. (43,560 sq. ft.)

LOT 13: 1.00 AC. (43,560 sq. ft.)

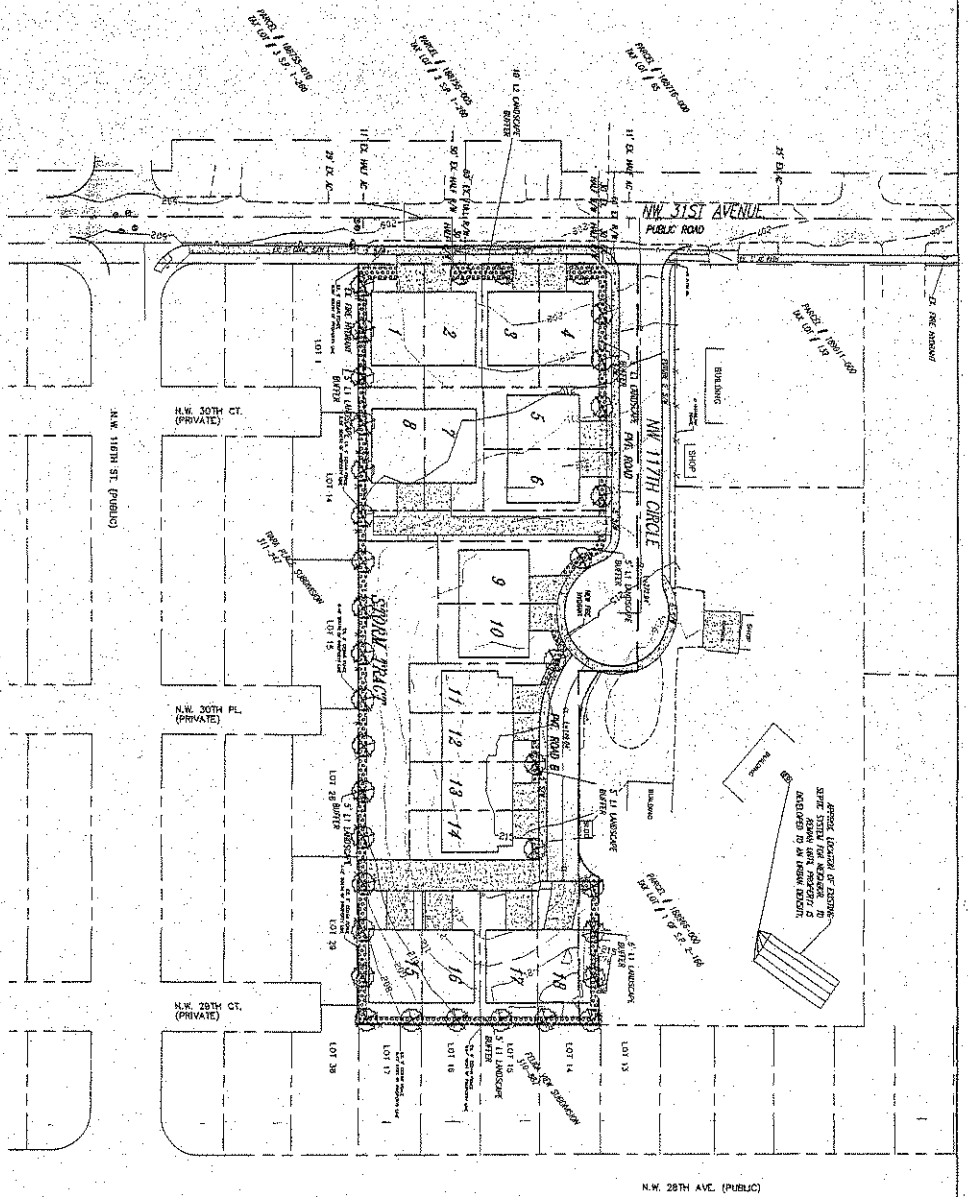
LOT 14: 1.00 AC. (43,560 sq. ft.)

LOT 15: 1.00 AC. (43,560 sq. ft.)

LOT 16: 1.00 AC. (43,560 sq. ft.)

LOT 17: 1.00 AC. (43,560 sq. ft.)

LOT 18: 1.00 AC. (43,560 sq. ft.)



PLANTING LEGEND

SYMBOL	SYMBOL	SYMBOL	SYMBOL	SYMBOL
ACACIA	ACACIA	ACACIA	ACACIA	ACACIA
ACACIA	ACACIA	ACACIA	ACACIA	ACACIA
ACACIA	ACACIA	ACACIA	ACACIA	ACACIA
ACACIA	ACACIA	ACACIA	ACACIA	ACACIA

LANDSCAPE NOTES

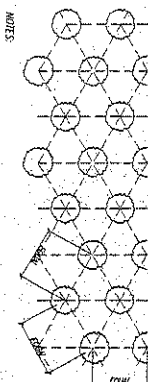
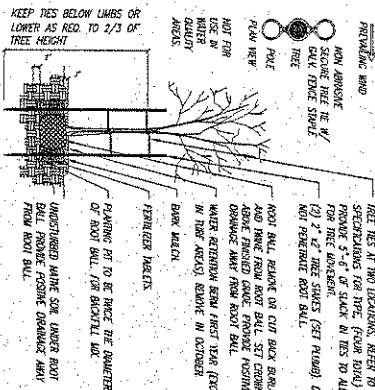
THE TYPE OF TREES OR PLANTS PLANTED MAY CHANGE DUE TO AVAILABILITY AND/OR THE DEVELOPER'S PREFERENCE. SO LONG AS THE NEW TREES SELECTED MATCH THE GROWTH HABITS AND CHARACTERISTICS OF THE ONES REMOVED.

THE EXACT PLANTING LOCATION OF THE TREES LOCATED IN THE LOT 12 BUFFER MAY CHANGE SLIGHTLY DUE TO UTILITY LOCATIONS AND/OR THE DEVELOPER'S PREFERENCE SO LONG AS THE SPECIFIED NUMBER OF TREES ARE PLANTED IN THE GIVEN BUFFER AREA.

APPROXIMATELY 40% OF THE GROSS SITE AREA WILL BE COVERED IN SOFT LANDSCAPE SURFACES. THESE SURFACES ARE PERMANENT AND MEET THE MINIMUM 20% LANDSCAPE COVERAGE REQUIREMENT.

Best Decisions Tree Planting Details

NO SCALE



Groundcover Planting Details

NO SCALE

FELIDA VIEW TOWNHOMES SUBDIVISION

PRELIMINARY LANDSCAPE BUFFER PLAN

CLARK COUNTY

WASHINGTON



STURTEVANT COLMAN
& ASSOCIATES
CIVIL ENGINEERING - LAND PLANNING
DEVELOPMENT SERVICES
WASHINGTON, DC 20005
PHONE (202) 939-1011
FAX (202) 939-1012

DESIGNED BY: SGL, MGS
DRAWN BY: SGL, MGS
CHECKED BY: EDO, MGS
SCALE: 1" = 40'
JOB NUMBER: 0539
SHEET: 4 of 4

HEARING EXAMINER EXHIBITS



APPLICATION: Felida View Townhomes
CASE NUMBERS: PLD2009-00048
Hearing Date: 1/28/10

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1		CC Development Services	Aerial Map
2		CC Development Services	Vicinity Map
3		CC Development Services	Zoning Map
4		CC Development Services	Comprehensive Plan Map
5	9/25/09	Applicant: Osprey Ventures, LLC.	Full Size Plans
6	9/25/09	Applicant: Osprey Ventures, LLC.	Application Binder: Submittal Checklist, Pre-App Rpt, GIS Packet, Narrative, Legal Lot Determination, Prelim Plats Abutting Site, Boundary Survey, GeoTech Rpt, Stormwater Rpt, Engineers Statement, Traffic Study, Site Distance Cert, Circulation Plan, SEPA, Utility Reviews, Health Dept Ltr, Covenants/Restrictions, Arch Pre-Det, School Ltr, Safe Walking Route Map, Road Modification, Variance for Setbacks
7	10/13/09	CC Development Services	Development Review Fully Complete Determination
8	10/27/09	CC Development Services	Notice of Type III Development Review App, Optional SEPA & Public Hearing
9	10/27/09	CC Development Services	Affidavit of Mailing Public Notice
10	11/9/09	Department of Ecology (DOE)	SEPA Comments
11	11/12/09	Lynn Carman	Public Comments
12	11/25/09	Public Works Development Engineering	Road Modification Report
13	12/3/09	Michael Uduk, County Staff	Acknowledgement of receipt of the SEPA Comments from DOE
14	12/8/09	CC Development Services	REVISED Notice of Type III Development Review App, Optional SEPA & Public Hearing – Revised Hearing Date

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
15	12/8/09	CC Development Services	Affidavit of Mailing Public Notice
16	1/11/10	Applicant: Osprey Ventures, LLC.	Applicants Affidavit of Posting – Land Use Sign
17	1/13/10	CC Development Services	Counties Affidavit of Posting
18	1/13/10	CC Development Services	Staff Report written by Michael Uduk

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division
1300 Franklin Street
Vancouver, WA 98666-9810